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02 JUL 19 PM 3 23

July 19, 2002

OFFICE OF THE
EXECUTIVE SECRETARY

Hon. Chairman Sara Kyle
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

Re: Petition of WorldCom, Inc. and Intermedia Communications, Inc.
For Approval of Customer Notice Letter Pursuant to
TRA Rule 1220-4-2-.56(2)(d)(2)
Docket No. 02-00801

Dear Chairman Kyle:

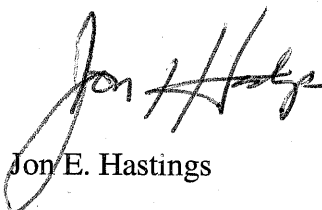
Enclosed please find the original and fourteen (14) copies of the above-referenced Petition which we would appreciate your filing on behalf of WorldCom, Inc. and Intermedia Communications, Inc., along with our check in the amount of \$25.00.

Thank you for your assistance in this matter.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:



Jon E. Hastings

JEH/th

Enclosures

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
AT NASHVILLE, TENNESSEE**

Petition of)
)
WorldCom, Inc.)
)
and)
)
Intermedia Communications, Inc.)
)
For Approval of Customer Notice Letter)
Pursuant to TRA Rule 1220-4-2-.56(2)(d)(2))

Docket No. _____

PETITION

WorldCom, Inc. ("WorldCom") and its subsidiary, Intermedia Communications, Inc. ("Intermedia") (collectively "Petitioners"), by their undersigned counsel and pursuant to TRA Rule 1220-4-2-.56(2)(d), hereby seek approval from the Tennessee Regulatory Authority ("Authority") of the attached customer notice letter being sent to Intermedia's customers currently receiving Intermedia's dedicated long distance, ISP-PRI, private line, Intermedia One, and certain ATM and Frame Relay services. *See* Attachment 1. As explained below, this customer notice is being sent in connection with a transition of certain customers from Intermedia to its affiliate, MCI WorldCom Communications, Inc. ("MCI WorldCom"). Once Petitioners receive Authority approval of the customer notice letter, Petitioners will provide the Authority with a copy of the letter filed with the Federal Communications Commission ("FCC") in compliance with TRA Rule 1220-4-2-.56 (2)(d)(1). Petitioners respectfully request that the Authority expedite its consideration of the customer notice letter, so that notices may be timely delivered to all affected customers by July 31, 2002. Petitioners submit the following in support of this Petition:

I. BACKGROUND

By letter dated September 21, 2001, WorldCom notified the Authority that it had determined not to sell the regulated telecommunications operations of Intermedia, in Tennessee, which WorldCom had acquired as of July 1, 2001 in Docket No. 00-01099 pursuant to the Authority's order approving the transfer dated March 22, 2001. As WorldCom indicated to the Authority in its earlier filings on the status of the transaction, the Intermedia operations have continued to operate since the WorldCom acquisition under the existing Intermedia certificates and tariffs. At the same time, WorldCom has evaluated how it will consolidate the Intermedia operations into the existing operations of other WorldCom operating subsidiaries, including the transfer of certain customers from Intermedia to MCIWorldCom.

As part of its customer migration plan, WorldCom advised the Authority on December 21, 2001, of its plans to transition Intermedia's business long distance customers to comparable service plans offered by MCI WorldCom. The Authority approved this partial transfer of Intermedia's customer base pursuant to its Order dated February 20, 2002 in Docket No. 02-00054. WorldCom further advised the Authority on April 11, 2002 of its plans to transition Intermedia's residential long distance customers to comparable service plans offered by MCI WorldCom. The Authority subsequently approved the customer notification letter pursuant to its Order dated June 12, 2002 in Docket No. 02-00411. As stated in earlier filings with the Authority, WorldCom is committed to keeping the Authority apprised of the results of WorldCom's plans to consolidate certain Intermedia services with other WorldCom subsidiaries. Accordingly, at this time, WorldCom advises the Authority that it has determined that it also is appropriate to transition those Intermedia's customers currently receiving Intermedia's dedicated

long distance, ISP-PRI, private line, Intermedia One, and certain ATM and Frame Relay services to comparable service plans offered by MCI WorldCom.

II. DESCRIPTION OF TRANSACTION AND CUSTOMER NOTICE

As noted above, WorldCom has determined that it is necessary to migrate certain customers of its subsidiary Intermedia to another WorldCom operating subsidiary MCI WorldCom. This Petition seeks approval of the attached customer notice letter to be sent in connection with this intra-corporate customer transfer. Approximately 356 subscribers in Tennessee will be affected by this transition. These customers receive dedicated long distance, ISP-PRI, private line, Intermedia One, and certain ATM and Frame Relay services. Because the affected Intermedia subscribers will be transitioned to another WorldCom operating subsidiary with a new name and with somewhat different rate plans, WorldCom has developed a customer notification and transfer plan that is intended to assure informed customer choice and seamless transition to MCI WorldCom service.

Specifically, WorldCom will provide customers with notice of the change from Intermedia to its affiliate MCI WorldCom to assure that customers are fully informed of the change. The affected customers will be notified by letter, in the form attached as Attachment 1 hereto.

Although in Docket No. 02-00411 the Authority previously directed Petitioners to send the customer notice letter under the name of Intermedia,¹ Petitioners respectfully reiterate their

¹ *Petition of WorldCom, Inc. and Intermedia Communications, Inc. for Approval of Customer Notice Letter Pursuant to TRA Rule 1220-4.2-.56(2)(d)(2), Order Approving Customer Notice Letter, Docket No. 02-00411 (June 12, 2002).*

concerns raised in Docket No. 02-00411 and request that this customer notice letter be sent under the name WorldCom for the following reasons:

- (1) The FCC rules require the *acquiring carrier*, not the transferring carrier, to send the customer notice to the affected subscribers;
- (2) Consistent with the purpose for the FCC's requirement, logistics dictate that the acquiring carrier send the notice letter since the acquiring carrier must provide affected customers with information regarding its rates, terms and conditions of service, contact information, as well as notice of the acquiring carrier's responsibility regarding carrier change charges, among others things;
- (3) A requirement in Tennessee that the customer notice be sent on the transferee's letterhead causes carriers to use a customer notice process separate from all other states and the FCC, resulting in logistical complications and added time and expense; and
- (4) The customer notice letter set forth as Attachment 1 for which Petitioners seek Authority approval is the notification letter required by the FCC. The Authority's Rule at 1220-4-2-.56(2)(d)(2) explicitly provides "The notification letter required by the FCC may be used for the notification purposes of this part."

In order to assuage Authority concerns that the notice may be treated as junk mail by the customer and to ensure the notice receives proper attention by the affected customer, Worldcom intends to send the notice in an envelope that reads "IMPORTANT INFORMATION ABOUT YOUR INTERMEDIA ACCOUNT." A sample envelope is attached hereto as Attachment 2. WorldCom plans to send the attached notice to affected customers on July 31, 2002. The migration of customers to MCI WorldCom service is expected to take place on or after

September 13, 2002. For these reasons, Petitioners respectfully request approval of the attached customer notice letter.

In connection with this process, WorldCom will comply with TRA Rule 1220-4-2-.56, which governs the transfer of customers between telecommunications carriers. As indicated above, Petitioners will provide the Authority a copy of the letter filed with the FCC. The letter cannot be filed with the FCC until Petitioners send notification to all affected customers, which cannot be accomplished in Tennessee until the Authority approves the attached notice letter. Thus, Petitioners respectfully request expedited treatment of this Petition.

III. CONTACT INFORMATION

The designated contacts for questions regarding this Petition are:

Jon E. Hastings
Boult Cummings, Conners & Berry
414 Union Street, Suite 1600
Nashville, TN 37219
(615) 252-2306 (Tel)
(615) 252-2380 (Fax)

and,

Jean L. Kiddoo
Kathy L. Cooper
Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
(202) 424-7834 (Tel)
(202) 424-7645 (Fax)

with a copy to:

Marsha Ward
WorldCom, Inc.
6 Concourse Parkway
Atlanta, Georgia 30328
(770) 284-5490 (Tel)
(770) 284-5488 (Fax)

IV. CONCLUSION

For the reasons stated above, Petitioners request approval from the Authority of the attached customer notice letter in connection with the transition of Intermedia's dedicated long distance, ISP-PRI, private line, Intermedia One, and certain ATM and Frame Relay service customers to its affiliate, MCI WorldCom. Petitioners request that the Authority expeditiously grant such approval so that Petitioners can send the attached notice letter to affected customers no later than July 31, 2002.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jon E. Hastings", is written over a horizontal line.

Jon E. Hastings
Boulton Cummings, Connors & Berry PLC
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Nashville, TN 37219
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Washington, D.C. 20007
(202) 424-7834 (Tel)
(202) 424-7645 (Fax)

Counsel for Petitioners

Dated: July 19, 2002

ATTACHMENT 1
Sample Customer Notice Letter



5055 North Point Parkway
Alpharetta, Georgia 30022

July 11, 2002

Customer Name
Address 1
Address 2
City, State ZIP

Dear Valued Customer,

We're pleased to announce that two telecommunications leaders -- WorldComSM and Intermedia Communications -- have merged networks and customer services. In the future, your service will be provided and invoiced by WorldCom. We want to take this opportunity to assure you that all measures are being employed to provide you the highest level of customer service and support while we transition customer accounts to WorldCom.

Although you will soon see your invoice change to WorldCom, please be assured that your service will not be affected during this transition. WorldCom will provide your service pursuant to your contract with Intermedia. Thus, your current rates, terms and conditions will not be affected, and notice of future changes, if any, to those terms will be provided in accordance with your existing contracts and applicable law. As part of the transition, however, your account number and remittance address will change, and we will advise you of the new information on your first WorldCom invoice.

The transfer to WorldCom will occur on or about September 13, 2002. No action is required on your part. You have the right to select another carrier for your services consistent with the terms of your contract.

If you have any questions or concerns about your previous or new service, or this billing change, please don't hesitate to contact our Customer Service team at 1-800-250-9999.

With network facilities in more than 65 countries and local service available in more than 100 cities, WorldCom has the scale and resources to deliver all the services your organization needs -- from local to conferencing, data, Internet services and more. We look forward to serving you!

Sincerely,

Michelle Decker
Vice President, Customer Satisfaction & Service Operations

Additional Information:

Your IntermediaOne, Single T, unifiedvoice.net and Unified Voice account(s) will be assessed an End User Common Line (EUCL) surcharge. This is a charge that allows WorldCom to provide service beyond a basic Metropolitan area at consistent rates. The EUCL charge varies by area, but will not exceed \$9.20 per month, per line or trunk.

For switched long distance customers, if you have a freeze on your account, it will be lifted to effectuate the change, and you may need to contact your local exchange provider to arrange for a new freeze on your account.

You will not be responsible for any carrier change charge associated with this transfer to WorldCom.